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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Advanced Television Systems and Their)
Impact upon the Existing Television)
Broadcast Service)

MM Docket No. 87-268

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To: The Commission

**MOTION FOR: EXTENSION OF TIME FOR THE FILING OF
REPLY COMMENTS IN RESPONSE TO SIXTH FURTHER
NOTICE OF PROPOSED RULE MAKING OR, ALTERNATIVELY,
ACCEPTANCE OF LATE FILED COMMENTS**

Viacom Inc. ("Viacom") hereby supports the motion ("Sinclair Motion") of Sinclair Broadcast Group, Inc. ("Sinclair") and Sullivan Broadcasting Company requesting that the Commission extend by at least sixty (60) days the deadline for the filing of reply comments in response to the Sixth Further Notice of Proposed Rule Making in the captioned proceeding, 11 FCC Rcd 10968 (1996) ("Sixth Further Notice"). Alternatively, because of concern that an extension of time might cause the carefully negotiated compromises in this proceeding to unravel, Viacom also supports and requests that the Commission, if it is not to extend the deadline, agree to accept late filed reply comments on the issues discussed herein for an additional period of 60 days. Additional time is necessary to more fully analyze the issues concerning coverage parity between UHF and VHF stations identified in the Sinclair Motion.

Viacom owns a total of 11 television stations, 10 of which broadcast on UHF channels representing coverage of 18% of total U.S. households. Moreover, Viacom has recently exercised its option to acquire a 50% ownership interest in the United Paramount Network, a new network whose affiliates are principally UHF stations. Viacom thus has a vital interest in assuring the viability of current UHF television facilities in the digital age.

Sinclair has spent considerable time reviewing and analyzing the proposed DTV channel allotment plans and has advised Viacom of its concerns about the possible effect of the plans on UHF broadcasters. These concerns stem from the concept of "service replication" that underlies the plans.

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Analysis by Sinclair has revealed the possibility that a DTV allotment plan that replicates the existing NTSC contours will needlessly perpetuate, and might well exacerbate propagation disparities between current VHF stations that migrate to UHF and current UHF stations whose DTV allocation remains in the UHF band. This will result in competitively inadequate power levels for UHF broadcasters when compared to VHF broadcasters. The well known propagation disparities between UHF and VHF signals which exists in analogue transmissions will not exist if VHF and UHF stations operate digitally in the same band. Yet replicating the existing service areas of NTSC stations on DTV channels in the UHF band may create even more serious and competitively disadvantageous power differences between VHF and UHF stations than currently exists, not only in the fringe areas of reception of UHF stations but even inside the Grade A contour where lower power signals have greater difficulty penetrating concrete structures.

An example of the power disparity being calcified into the current DTV allotment plans can be seen in Washington D.C. where WDCA (licensed to a subsidiary of Viacom) operates on Channel 20 and WRC-TV operates on Channel 4 with a DTV allotment on Channel 30. To replicate their current services areas, WDCA's digital transmissions will be set at 167 kilowatts of power while WRC's power will be set at 2000 kilowatts, a twelve-fold disparity. The enhanced reception of WRC when compared to that of WDCA will create obvious disadvantages to the latter with respect to both conventional broadcasting as well as the possible utilization of new digital transmissions for permitted ancillary purposes. Similar disparities exist in the other nine markets in which Viacom operates UHF facilities.

Viacom is also concerned that a DTV allotment plan based on a strict replication of coverage principle will further disadvantage emerging networks (particularly UPN in which Viacom will soon secure a 50% ownership interest). UPN depends upon UHF outlets for its viability. If the plans presently under consideration relegate UHF digital facilities to distribution parameters inferior to that of VHF stations in terms of reception capability and, consequently, economic vitality, the viability of individual UHF broadcasters could be adversely affected. The weaker these stations become the more adverse will be the consequences for a new network, such as UPN, which depends on UHF stations for distribution. Similarly, it is important that as many potential new affiliates as possible are available to UPN so that all pending CP applications are given appropriate consideration in the context of the DTV allotments and establishment of competitive power levels. These issues are especially cogent when it is recognized that the four established networks distribute their programming predominantly through a high power, VHF affiliation structure.

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